

Environmental Commitments Record
United States Route 95 (US-95) Vertical Profile Realignment Project
SBD – US-95 (PM 51.22/51.65)
EA 0K3100

No.	Avoidance, Minimization, and/or Mitigation Measures	Responsible Party/Monitor	Timing/ Phasing	Task Completed (Sign and Date)	Commitment Source	Comments
Utilities/Emergency Services						
UTIL-1	Protect in place measures for existing utilities and any required relocations would be developed and coordinated with the respective utility owners during the design phase of the project.	Design/RE	Plan Specifications and Estimate (PS&E)		Department Protocol	
TMP-1	A Traffic Management Plan (TMP) will be required to minimize traffic impacts due to construction activities. The California Highway Patrol (CHP) Construction Zone Enhanced Enforcement Program (COZEEP) is required. A detailed TMP, that addresses safety for both the motorists and the employees, would be developed during the preparation of Plans, Specifications, and Estimates (PS&E) package for this project.	Design/RE	PS&E Construction		Department Protocol	
TMP-2	An Access Management Plan would be prepared to avoid disruption or obstruction of emergency services and minimize impacts from construction activities.	Design/RE	PS&E, Construction		Department Protocol	
Visual/Aesthetics						
VQ-1	All paving would be removed from abandoned roadway then the area would be de-compacted by ripping.	Design/Landscaping/ RE	Construction		Visual Impact Assessment (VIA)	
VQ-2	All disturbed areas would be cat walked by grading equipment to provide a roughened surface.	Design/Landscaping/ RE Design/RE	Construction		VIA	

VQ-3	All vegetation in areas to be cleared would be broken/crushed into mulch of less than 6 inch pieces. This mulch and the top two inches of soil (containing seed of the existing vegetation) would be scrapped and held for later use. When construction is complete it would be installed back evenly on the disturbed area.	Design/Landscaping/ RE	Construction		VIA	
VQ-4	All organic fiber from wood would be spray applied over the reserved mulch and topsoil. This fiber will include water soluble organic polymer.	Design/Landscaping/ RE	Construction		VIA	
VQ-5	A total of 971 plants would be planted on the disturbed area. The planting will consist of Larrea tridentate, Acacia greggi, and Hymenoclea salsola. The container size of the plants would be a 1 gallon. Plants would be spotted on site to reproduce a random native cover. A landscape contractor will provide temporary watering and replacement of any planted material that dies throughout the one-year plant establishment period.	Design/Landscaping/ RE	Design/ Construction/ Post Construction		VIA	
	Cultural Resources					
CUL-1	If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.	Design/RE	Design/Pre- Construction/ Construction		State Health and Safety Code Section 7050.5	

CUL-2	If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains will contact the Department so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.	Design/RE	Design/Pre-Construction/ Construction		State Health and Safety Code Section 7050.5	
	Water Quality and Storm Water runoff					
WQ-1	A Storm Water Pollution Prevention Plan (SWPPP) would be prepared and would comply with a National Pollutant Discharge Elimination System (NPDES) permit requirements. In compliance with state and federal clean water standards, the SWPPP would identify best management practices to control construction-related erosion and discharges and minimize water quality impacts.	Design/RE	During Construction		Department Protocol	
	Paleontological Resources					

<p>PALEO-1</p>	<p>The PIR/PER/PMP prepared for this project must be implemented. The mitigation measures include, but are not limited to the following:</p> <p>a: All project personnel shall receive training prior to commencement of work. Attendance is mandatory for all earthmoving personnel and their supervisors. Procedures allowing the monitors to either directly or indirectly temporarily divert equipment to inspect fossil finds will be detailed in the Special or Technical Provisions prior to award of contract and worked out before hand at the preconstruction meeting with the Resident Engineer.</p> <p>b: The Contractor shall provide the Resident Engineer with a schedule of ground-disturbing activities to be conducted within the project limits in writing at least 15 working days prior to construction and update the schedules as needed. The Resident Engineer will make arrangements for the Paleontological Monitoring Team to be at the work sites in accordance with these requirements.</p> <p>c: A BLM fieldwork authorization is required prior to start of spot-checking and monitoring. The principal paleontologist will be responsible to obtain the authorization and ensure that all BLM permit and fieldwork authorization conditions are adhered to. Any fossil discoveries require notice to the local BLM field office.</p> <p>d: A qualified paleontologist will spot check the defined area of paleontological sensitivity north of PM 51.35 (station 2296+60) to north of PM 51.50 (station 2303+00) below five feet to assist in</p>	<p>Paleontologist/RE</p>	<p>During Construction</p>		<p>PIR/PER/PMP</p>	
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	<p>determining when the Quaternary Lake Deposits are reached. Qualified monitors will perform full-time monitoring of construction grading and excavation in the Quaternary Lake Deposits once they are reached. Personnel will be on call to respond to unanticipated discoveries in other portions of the project area.</p> <p>Qualified monitors will perform full-time monitoring of construction grading and excavation in the Quaternary Lake Deposits once they are reached. Personnel will be on call to respond to unanticipated discoveries in other portions of the project area.</p> <p>e: Discovery of fossils potentially meeting significance criteria requires immediate notice to BLM and Caltrans archaeologists of record for the project. These personnel will be party to all discussions regarding recovery, documentation, analysis, and curation.</p> <p>f: Upon conclusion of earthmoving, a Paleontological Mitigation Report (PMR) will be prepared. Copies of the PMR will be submitted to the repository, BLM Needles Field Office, Caltrans District 8, and other parties as requested by either agency.</p>	Paleontologist/RE	During Construction		PIR/PER/PMP	
	Hazardous Waste/Materials					
HW-1	Include SSP for non-hazardous ADL soils in the PS&E package.	Design/RE	Design/ Pre-Construction/ During Construction		ISA	
HW-2	If the project will remove thermoplastic traffic stripe, include SSP 14-001 in the PS&E package.	Design/RE	Design/Pre-Construction/ During Construction		ISA	
	Biological Resources					

BIO-1	All desert riparian vegetation within project limits would be protected in place with Environmental Sensitive Area (ESA) fencing.	Biologist	Pre-Construction		NES	
BIO-2	Local topsoil removed for the project will be conserved and used in the areas affected by the proposed cut and fill. If approved by the agencies with jurisdiction, hydro seeding will be used with plants present in the area.	Biologist	Pre-Construction		NES	
BIO-3	Measures would be implemented to avoid the introduction of invasive species as a result of this project.	Biologist/RE	Pre-Construction		NES	
BIO-4	The washes impacted by the proposed project will be mitigated in a minimum 1:1 ratio. This mitigation requirement is expected to be met in combination with the mitigation required due to the impacts to desert tortoise.	Biologist	Pre-Construction		NES	
BIO-5	Desert succulent species plants would be flagged by a biological monitor to be protected in place. Desert succulents that could not be protected in place would be relocated to appropriate locations within the Department's right of way.	Biologist	Pre-Construction/ Construction		NES	
BIO-6	To avoid impacts to migratory birds, vegetation removal must take place outside of the breeding season, which occurs between approximately February 1 and September 1. If, due to construction schedules, it is necessary to remove vegetation, including trees, during this season, a biological construction monitor must perform a pre-construction survey of each individual tree and/or of the entire area where vegetation will be removed. All measures shall be taken to minimize impacts to nesting birds. A preconstruction sweep for nesting birds would be conducted prior to construction activities outside of the nesting season as well. The sweep includes areas used for staging, storage, sign placement, or parking areas.	Biologist	Pre-Construction		NES	

BIO-7	Mitigation for impacts to desert tortoise habitat will be made at a ratio of a total of 3:1 (1:1 for BLM and 2:1 for CDFG).	Biologist	Pre-Construction		NES	
BIO-8	Caltrans will conduct preconstruction sweeps, place temporary desert tortoise exclusion fencing, and retain an on-call biologist to monitor that no desert tortoise are within the fenced areas.	Biologist	Pre-Construction/ Construction		NES	
BIO-9	If desert tortoise is found within the project limits all work will cease until the desert tortoise leaves the construction area by its own means.	Biologist/Design/RE	Pre-Construction		NES	
BIO-10	At least 30 days prior to the initiation of construction activities within the proposed project site, USFWS shall require the project applicant to incorporate into the final plans and specifications the requirement for all proposed construction staging areas, parking areas, and project elements to be surveyed for tortoise and clearly flagged, prior to the initiation of preconstruction surveys. Compliance shall be verified by the Resident Engineer.	Biologist/RE	Pre-Construction		NES	

BIO-11	<p>At least 30 days prior to the initiation of construction activities, USFWS shall require the project applicant to incorporate into the final plans and specifications the requirement for a qualified biologist or designated monitor (working under the supervision of the qualified biologist) to develop and administer a worker education program to all construction personnel.</p> <p>Practices covered by this program shall include speed limits, firearm prohibition, encounters with desert tortoise, staying within construction limits, pet prohibition, agency notification, checking under vehicles, and trash and litter management.</p> <p>A construction monitoring notebook shall be maintained on site throughout the construction period. At a minimum, the construction monitoring notebook shall include a copy of the NLAA concurrence letter adopted by Caltrans Construction crews, foremen, and other personnel potentially working on site shall undergo a desert tortoise education program to familiarize themselves with the particular biological restrictions and conditions of the area.</p> <p>All contractors and subcontractors on the construction project shall attend the course given by a qualified biologist. Information shall include training on special status species within the project area, species and habitat identification, techniques to avoid impacts to species, consequences of taking a listed species, and reporting procedures when encountering listed or sensitive species. Proof of compliance with this education program shall be submitted to Caltrans District 8.</p>	Biologist/RE	Pre-Construction		NES	
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BIO-12	USFWS shall require the project applicant to have all work areas and rights-of-way surveyed by a qualified biologist at least 5 calendar days before construction activities (i.e., grubbing, grading, trenching) begin to ensure that no desert tortoise is present within the project footprint. Preconstruction surveys shall be undertaken in two phases: (1) the alignment of the temporary exclusion fencing, and (2) the limits of the remaining areas to be graded within the proposed project site, including a 300-foot-wide buffer area beyond the limits of grading. No additional surveys for desert tortoise shall be required within the BSA. All desert tortoise burrows, as well as large mammal burrows that could be used by desert tortoise, shall be flagged. Inactive burrows shall be collapsed. Proof of compliance with this avoidance and minimization measure shall be submitted to Caltrans District 8.	Biologist/RE	Pre-Construction/ Construction		NES	
BIO-13	USFWS shall require the project applicant to construct temporary desert tortoise fencing prior to initiation of ground-disturbing activity within the BSA. All construction staging shall be inspected and approved by a qualified wildlife biologist prior to the initiation of construction activities. Proof of compliance with this avoidance and minimization measure shall be submitted to Caltrans District 8.	Biologist/Design/RE	Pre-Construction/ Construction		NES	
BIO-14	USFWS shall require the project applicant to post limits of 20 miles per hour (mph), and strictly enforce speed limits within the project construction area. Compliance shall be verified by the resident engineer.	Biologist/RE	Pre-Construction/ Construction		NES	

BIO-15	USFWS shall require the project applicant to restrict firearms and pets within the work area during construction. Compliance shall be verified by the Resident Engineer.	Biologist/RE	Pre-Construction/Construction		NES	
BIO-16	CDFG and USFWS shall require the project applicant to implement a trash-and-litter management program, thus reducing the appeal of the project area to ravens and other potential tortoise predators. Compliance shall be verified by the Resident Engineer.	Biologist/RE	Pre-Construction/Construction		NES	
BIO-17	Workers shall inspect for tortoises under vehicles prior to moving the vehicles. If a tortoise is present, all work shall cease until the desert tortoise abandon the project area by its own means. The monitor will be call to check that no take to the desert tortoise will occur.	Biologist/RE	Construction		NES	

BIO-18	<p>If Prairie Falcon, Pallid Bat, and Burrowing Owl are found on site during the pre-construction, coordination with CDFG will be conducted to determine the appropriate avoidance and minimization measures required for the project. Implementation of one or more of the following measures may be required, in order to minimize affects on the species:</p> <ul style="list-style-type: none"> • As compensation for the direct loss of burrowing owl nesting and foraging habitat, Caltrans shall mitigate by acquiring and permanently protecting known burrowing owl nesting and foraging habitat at a ratio determined by the CDFG. • Occupied burrows shall not be disturbed during the nesting season of February 1 and August 31, unless a biologist can verify through noninvasive methods that, either the owls have not began egg-laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent flight. • Owls must be passively relocated from any occupied burrows that will be impacted by project activities, by a qualified biologist. Suitable habitat must be available adjacent or near the disturbance site or artificial burrows would need to be provided nearby. 	Biologist/Design/RE	Construction			
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	<ul style="list-style-type: none"> • Once the biologist has confirmed that the owls have left the burrow, burrows would be excavated using hand tools and filled to prevent reoccupation. • The permitted biologist shall monitor the relocated owls a minimum of three days per week for a minimum of three weeks. • A report summarizing the results of the relocation and monitoring shall be submitted to CDFG within 30 days following completion of the relocation and monitoring of the owls. 	Biologist/RE	Construction		NES	
BIO-19	To protect the Prairie Falcon, Pallid Bat, and Burrowing Owl, vegetation removal would be limited to the project footprint, and would be minimized to the maximum extent practicable.	Biologist/PE	Design		NES	